

REMARKS

Applicants thank the Examiner for the very thorough consideration given the present application. Claims 1-19 are currently pending in this application. Claims 11-17 have been withdrawn from further consideration. No new matter has been added by way of the present amendment. For instance, the amendments to claims 2, 4 and 5 are merely editorial in nature and non-narrowing. New claim 18 is supported by the Specification at, for example, page 19, paragraph [0049]. New claim 19 is supported by Figure 11(b). Accordingly, no new matter has been added.

In view of the amendments and remarks herein, Applicants respectfully request that the Examiner withdraw all outstanding rejections and allow the currently pending claims.

Issues Under 35 U.S.C. 112, second paragraph

Claims 2 and 4-6 stand rejected under 35 U.S.C. 112, 2nd paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter regarded as the invention. Applicants respectfully traverse.

As to claim 2, the Examiner notes that the limitation “two faces” lacks antecedent basis. The Examiner further notes that the limitation “the forming portion” in claim 4 also lacks antecedent basis. As to claim 5, the Examiner indicates that the phrase “partly bending” is not clear.

Applicants submit that claims 2 and 4-5 have been amended in order to correct the issues identified by the Examiner. Accordingly, this rejection is moot.

Reconsideration and withdrawal of this rejection are thus respectfully requested.

Issues Under 35 U.S.C. § 102(e)

Claims 1-10 stand rejected under 35 U.S.C. 102(e) as being anticipated by Tsuura et al. (U.S. 2004/0069429) (hereinafter Tsuura '429).¹ Applicants respectfully traverse.

The Examiner asserts that Tsuura '429 teaches a process of making a pulp fiber molded article by papermaking steps, wherein pulp slurry is placed in a mold and force is applied to the pulp mass by pressing. The Examiner argues that Figure 1 of Tsuura '429 shows that the formed article has an edge that has a thick walled part, as well as "grooves for mating."

Applicants respectfully submit that the Examiner has failed to establish a *prima facie* case of anticipation. For anticipation under 35 U.S.C. §102, the reference must teach each and every aspect of the claimed invention either explicitly or impliedly. Any feature not directly taught must be inherently present. The fact that a certain result or characteristic may occur or be present in the prior art is not sufficient to establish the inherency of that result or characteristic. *In re Rijckaert*, 9 F.3d 1531, 28 USPQ2d 1955 (Fed. Cir. 1993). To establish inherency, the extrinsic evidence "must make clear that the missing descriptive matter is necessarily present". *In re Robertson*, 169 F.3d 743, 49 USPQ2d 1949 (Fed. Cir. 1999). The mere fact that a certain thing may result from a given set of circumstances is not sufficient. *Id.*

Tsuura '429 discloses an element made by papemaking for use in production of a die casting which comprises an organic fiber, an inorganic fiber and a binder (see Abstract). Tsuura '429 further discloses that the element is formed by forming a slurry comprising the organic fiber, inorganic fiber and binder, and subsequently forming a "preform" with the slurry by a papermaking process (see [0045]-[0051]).

¹ Applicants note that Tsuura '429 is also available under 35 U.S.C. §102(b).

The Examiner has taken the position that Figure 1 of Tsuura '429 shows a fiber deposit layer having a "thick-walled part at or near the edge" (see page 4 of the outstanding Office Action). However, Applicants submit that the Examiner's position is incorrect, as Figure 1 of Tsuura '429 merely shows a molded element for casting, obtained after following the process of Tsuura '429.

The molded element for casting of Tsuura '429 is used for forming, for example, a sprue (1), as shown in FIG. 1 (see also paragraph [0067] of Tsuura '429). The sprue (1) comprises two cylindrical elements (elements (11) and (12)) connected by fitting, as shown in FIG. 1 (see also paragraph [0068] of Tsuura '429).

The cylindrical element (11) is formed by a process wherein a material slurry is poured under pressure (injected) into a cylindrical mold comprising a pair of splits that are joined together (see paragraph [0051] of Tsuura '429). Subsequently, an elastically expandable hollow pressing member (elastic pressing member) is inserted into a cavity of the mold, followed by a step of expanding the pressing member (see [0052]-[0054]). A fiber layer is then pressed toward the inner wall of the cavity of the mold to dewater the same (see [0053] - [0056]). Afterward, the mold is opened to take out the fiber layer, and the resultant fiber layer is heated and dried (see [0057] - [0063]).

As is evident from the steps that comprise the process of Tsuura '429, the resultant fiber layer of Tsuura '429 has no joint seams formed by joining the articles or thick-walled parts, and as a result, the cylindrical element (11) has neither joint seams nor thick-walled parts (see [0056]). In stark contrast, the fiber molded articles (11) of the present invention are used in pairs, as shown in Figs. 12 (a) and (b), and are jointed together to form a molded element for casting.

Thus, contrary to Tsuura's article, which lacks joint seams, the present molded element for casting exhibits joint seams, formed by the fiber molded articles of the present invention.

The fiber molded article (11) of the present invention is produced by pressing a fiber deposit layer (10) having a thick-walled part (104) (see Fig. 11 (a-b), paragraphs [0048]-[0050], and claim 1). Applicants submit that Tsuura '429 does not explicitly or impliedly teach a fiber deposit layer having a thick-walled part.

In the present invention, the thick-walled part (104) of the fiber deposit layer (10) is formed by bending the basal part of the flange (101) of the fiber deposit layer (10). Specifically, the outer peripheral portion of the flange (101), located at the recess (310) of the flange (101), is sucked through the gas/liquid passageways (407) of the female mold (40) and bent thereby to form the thick-walled part (104) (see paragraphs [0021], [0025], [0047] and [0048]; see also Fig. 2 and Fig. 6). Alternatively, the thick-walled part (104) is formed by a papermaking mold (30') having a groove (308) (see paragraph [0059] and Fig. 14). In stark contrast, because Tsuura's article lacks joint seams, there is no need for Tsuura '429 to form a flange (see, e.g., claim 18).

The fiber molded articles (11) of the present invention are formed so as to eliminate the unfavorable rounded edge (gap) which is likely to be formed in the joint seams (see also Fig. 23). As shown in Fig. 11 (b), the edge (113) of the fiber molded articles (11) of the present invention is a sharp edge (see claim 19). Accordingly, it is possible for the present invention to form a molded element for casting with no gap or space in the joint seam when the two fiber molded articles (11) are jointed together (see Fig. 12 (b); see also Fig. 23, which shows the molding problem associated with a fiber molded article produced by conventional techniques).

Evidently, Tsuura '429 fails to explicitly or implicitly teach each and every limitation of

the present invention, and thus fails to anticipate the same.

Accordingly, reconsideration and withdrawal of this rejection are respectfully requested.

Conclusion

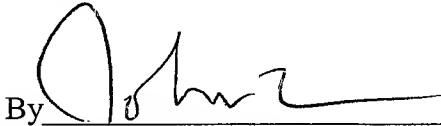
All of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider all presently outstanding rejections and objections and that they be withdrawn. It is believed that a full and complete response has been made to the outstanding Office Action and, as such, the present application is in condition for allowance.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Vanessa Perez-Ramos, Reg. No. 61,158, at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37.C.F.R. §§1.16 or 1.17; particularly, extension of time fees.

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Respectfully submitted,

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